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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,620	03/23/2004	David Yalovsky	50037.227US01	6077

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EXAMINER

HUYNH, NAM TRUNG

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/808,620	Applicant(s) YALOVSKY ET AL.	
	Examiner Nam Huynh	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to amendment filed on 1/25/2006. Of claims 1-21, none of the claims were amended.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4, 9, 11, 16, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Heie (US 6,473, 621).

A. Regarding claims 1 and 9, Heie discloses a method and apparatus for entering shortcut messages comprising a user interface, or “document creation application”, that permits a replacement of text to be made if a defined term is detected (abstract). The invention allows the user to enter shortcut code, or “shorthand term”, such as the location of a message stored in memory, instead of entering the entire message. As the user completes entering the location, the message stored at the location will be displayed on the display (column 2, lines 8-21). This feature of the invention renders the limitation of “displaying the definition of the shorthand term within the application”. Furthermore, a text-to-text storage table (figure 2a) is disclosed where a defined term or “shorthand term” along with its corresponding substitute data or “definition” is shown. This particular component of the invention renders the “dictionary service” because it is

where the shorthand term along with its definition is stored, in which a CPU accesses in order to carry the replacement of text when a defined term is detected (column 3, line 6).

B. Regarding claims 2 and 11, Heie discloses that when a CPU receives a text message, it accesses a database of defined terms and substitute data that correspond to the originating address of the message (column 6, lines 47-53). The received text message would contain the "shorthand term" or the text to be defined. It is commonly well known in the art that text messages contain SMS terms. Support for this statement can be found in column 1, lines 15-22 where Heie discloses that currently most phones offer a text message receive capability and that that phones provide text editing and transmitting functions, wherein a short message is sent from the phone (column 1, lines 15-22).

C. Regarding claims 4 and 18, with reference to figure 2A, if a user decides to enter a shorthand term or "defined term" as shown in the figure, the substitute data is displayed on the user interface. Therefore when a user enters a shorthand term, he/she essentially selects a shorthand term from the application.

D. Regarding claim 16, Heie discloses a network element, "first computing device" that provides a "dictionary service" in which a receiver receives a text message and a CPU performs a global search and replace in the message body for each occurrence of a defined term in a database, and replaces the defined term with the substitute text of the database. The augmented text is then sent to an addressed recipient (columns 6-7,

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lines 36-67, 1-3). Furthermore, all steps of user entry and substitutions may be displayed on a display (column 7, lines 20-22).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 3, 5-8, 10, 12-15, 17, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heie (US 6,473,621) in view of Weiner (US 2003/0023424).

A. Regarding claims 3, 10, and 17, Heie discloses a method and apparatus for entering shortcut messages comprising a user interface, or "document creation application", that permits a replacement of text to be made if a defined term is detected (abstract). The invention allows the user to enter shortcut code, or "shorthand term", such as the location of a message stored in memory, instead of entering the entire message. As the user completes entering the location, the message stored at the location will be displayed on the display (column 2, lines 8-21). This feature of the

invention renders the limitation of “displaying the definition of the shorthand term within the application”. Furthermore, a text-to-text storage table (figure 2a) is disclosed where a defined term or “shorthand term” along with its corresponding substitute data or “definition” is shown. This particular component of the invention renders the “dictionary service” because it is where the shorthand term along with its definition is stored, in which a CPU accesses in order to carry the replacement of text when a defined term is detected (column 3, line 6).

Additionally, Heie discloses a network element, “first computing device” that provides a “dictionary service” in which a receiver receives a text message and a CPU performs a global search and replace in the message body for each occurrence of a defined term in a database, and replaces the defined term with the substitute text of the database. The augmented text is then sent to an addressed recipient (columns 6-7, lines 36-67, 1-3). Furthermore, all steps of user entry and substitutions may be displayed on a display (column 7, lines 20-22).

Heie does not explicitly disclose that the shorthand term is entered within a search box. Weiner discloses a multimedia dictionary that allows a user to gain access to a dictionary messaging system and then enter information that the user would like to have translated (page 2, paragraph 0023). In the invention, a user enters media input for translation. The media input can be of various types e.g. image, movie, audio, text etc. (figure 2a). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to follow the teachings of Weiner, and allow a user to enter a term to search the text-to-text storage table for in the invention of Heie, in

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order to give a user the expanded capability of searching a specific shorthand term to see if a definition exists for the term.

B. Regarding claims 5-6, 12-13, and 19, Heie discloses that a CPU searches a database that stores defined terms and substitute data (column 6, lines 57-60).

However, Heie does not explicitly disclose that a dictionary over a network is searched. Weiner discloses that the dictionary server uses protocols as the UAPROF protocol at WAP 2.1 that enables WAP gateways to understand terminal capabilities. WAP stands for Wireless Application Protocol. This protocol enables a device to deliver content from the Internet to low capability mobile telephones (page 2, paragraph 0027). It would be further obvious to one of ordinary skill in the art to follow the teaching of Weiner, and allow the CPU to search other network components such as the Internet, in order to access shorthand terms and their respective definitions.

C. Regarding claims 7-8, 14-15, and 20-21, Wiener discloses an embodiment in which the inputted information is a video stream. Once the dictionary server identifies the objects, or provides the definition, a module prompts the user to select which object he/she is interested in (page 2, paragraph 28). Therefore it would have been further obvious to one of ordinary skill in the art at the time the invention was made to follow the teachings of Weiner, and prompt a user to allow him/her to choose substitute texts for a defined term. Adding this capability would allow a user to write SMS text messages more accurately because he/she can choose whether or not to use the shorthand term or its definition.

Response to Arguments

6. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam Huynh whose telephone number is 571-272-5970. The examiner can normally be reached on 8 a.m.-5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NTH
3/20/06


GEORGE ENG
SUPERVISORY PATENT EXAMINER